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Trafficking in women and girls

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution 61/144, provides information on the measures taken by Member States and activities undertaken within the United Nations system to combat and eliminate trafficking in women and girls. The report concludes with recommendations for future action.

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I. Introduction

1. In its resolution 61/144, on trafficking in women and girls, the General Assembly called on Governments to strengthen their national efforts to combat and eliminate trafficking in women and girls, and to implement actions at the bilateral, subregional, regional and international levels in cooperation with all relevant actors, including States, intergovernmental organizations and civil society; called upon Governments to criminalize all forms of trafficking in persons, strengthen preventive action, protect and support victims of trafficking, and enhance information-sharing and data collection; requested the Secretary-General to submit to it at its sixty-third session a report that compiled successful interventions and strategies, as well as challenges, in addressing the gender dimensions of the problem of trafficking in persons, that identified gender-related aspects of anti-trafficking efforts that remained unaddressed or inadequately addressed, and that evaluated measures taken through appropriate indicators. The present report is submitted in accordance with that request and is based, inter alia, on information received from Member States, entities of the United Nations system and other organizations. It covers the period since the last report (A/59/185) up to 6 June 2008.

II. Measures reported by Member States

2. As at 6 June 2008, 40 Member States responded to the Secretary-General's request for information relating to the implementation of resolution 61/144.[1] Information was provided on a range of measures taken to combat trafficking in women and girls, including strengthening legal frameworks, putting in place strategies for better coordination and cooperation with different stakeholders and at the bilateral and multilateral levels, and reinforcing prevention action and efforts to prosecute perpetrators and protect and support victims.

A. International instruments[2]

3. The international legal framework obligates and guides States in the adoption of their own anti-trafficking laws and policies, and provides a framework for States in their collaboration to fight human trafficking. Since the last report, issued in 2004, there has been a substantial increase in the number of States parties to international instruments relevant to combating trafficking in women and girls. As at June 2008, 144 States had ratified or acceded to the United Nations Convention against Transnational Organized Crime, while 118 States had ratified or acceded to its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially

[1] Replies were received from Albania, Algeria, Argentina, Australia, Azerbaijan, Bahrain, Belgium, Brunei Darussalam, Bulgaria, Canada, Chile, Colombia, the Czech Republic, Ecuador, Egypt, Estonia, Germany, Greece, Hungary, Jamaica, Japan, Lebanon, Liechtenstein, Lithuania, Luxembourg, Mexico, Nigeria, Norway, Peru, Qatar, the Philippines, Portugal, the Russian Federation, San Marino, Slovakia, Thailand, the former Yugoslav Republic of Macedonia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and Viet Nam.

[2] Information in this section is taken from government submissions, the multilateral treaties website of the Office of Legal Affairs of the Secretariat and the websites of the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime.

Women and Children, and 112 States had ratified or acceded to the Protocol against Smuggling of Migrants by Land, Sea and Air. Of the Member States that submitted information for the present report, Belgium, Chile, Germany, Hungary, Lebanon, Liechtenstein, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland had become party to the Convention and the two Protocols; Colombia had become party to the Convention and the Trafficking Protocol; Brunei Darussalam, Luxembourg, Qatar and the United Arab Emirates had become party to the Convention; Australia had become party to the Trafficking Protocol; Egypt had become a party to the Migrants Protocol; and Slovakia had become party to both Protocols.

4. As at June 2008, 126 Member States had ratified or acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and 90 had ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Of the Member States reporting, Albania, Algeria, Australia, Bahrain, Belgium, Brunei Darussalam, Canada, Estonia, Greece, Japan, Lebanon, Liechtenstein, Lithuania, Slovenia and Thailand had become party to the Optional Protocol to the Convention on the Rights of the Child, and Argentina, Bulgaria, Colombia, Lithuania, Nigeria, San Marino and the United Kingdom had become party to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

5. Many of the reporting Member States are a party to all the instruments mentioned in paragraph 5 of resolution 61/144 (Albania, Argentina, Azerbaijan, Belgium, Bulgaria, Ecuador, Lithuania, Mexico, Norway, Peru, Philippines, Portugal, Slovakia and the former Yugoslav Republic of Macedonia). A number of States are a party to all except one of the instruments (Algeria, Australia, Bahrain, Canada, Chile, Colombia, Egypt, Estonia, Germany, Hungary, Lebanon, Nigeria, Russian Federation and United Kingdom).

6. Germany indicated that it was preparing to ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, while Luxembourg was taking steps to approve the Trafficking Protocol and the Czech Republic was making efforts to amend its criminal law in order to ratify the Organized Crime Convention, the Trafficking Protocol and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

7. States indicated their adherence to other international and regional instruments relevant to the issue of trafficking in women and girls, including the Council of Europe Convention on Action against Trafficking in Human Beings (Norway, Portugal and Slovakia; Belgium, Germany and the United Kingdom were preparing for ratification, while Hungary, Lithuania, Luxembourg and the former Yugoslav Republic of Macedonia had signed and Estonia was preparing to sign); the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (Azerbaijan, Ecuador, Egypt, Russian Federation and the former Yugoslav Republic of Macedonia); the 1994 Inter-American Convention on International Traffic in Minors (Ecuador and Peru); and the 1998 Rome Statute of the International Criminal Court (Colombia).

B. Legislation and the justice system

8. A comprehensive legal framework, including criminalization, prevention measures and protection and support for victims, is crucial in effectively addressing trafficking in women and girls. Significant strides have been made in strengthening legal frameworks and bringing legislation in line with international and regional standards for combating and eliminating trafficking in women and girls. Many States have revised their criminal codes and other laws, and a number of States have adopted new legislation, including anti-trafficking acts incorporating prevention and protection measures.

9. Specifically, States have reported the inclusion of explicit criminal offences on human trafficking in their penal codes, as well as in immigration and asylum laws (Albania, Argentina, Australia, Azerbaijan, Belgium, Brunei Darussalam, Bulgaria, Canada, Colombia, Czech Republic, Ecuador, Germany, Greece, Hungary, Japan, Liechtenstein, Lithuania, Luxembourg, Norway, Portugal, Qatar, Russian Federation, Slovakia, the former Yugoslav Republic of Macedonia, United Arab Emirates and United Kingdom). Some of these laws cover different forms of trafficking, including for sexual exploitation, forced labour or services, or removal of organs. Penalties include fines and imprisonment, which average between 3 and 15 years, with increases for aggravating circumstances. In some countries, such as Germany and Liechtenstein, criminal law covers human trafficking offences committed in other countries, while in others, such as Canada, the law includes specific provisions prohibiting child sexual exploitation. Other offences under which trafficking offences could be subsumed were also mentioned, such as slavery (Australia and Egypt), kidnapping (Algeria, Canada and Russian Federation), abduction of minors from the care of their parents (Germany), coercion and threats (Liechtenstein and Norway), and sexual and commercial exploitation of children and women (Egypt).

10. Increasingly, States have in place legal frameworks for combating trafficking in persons that are broad in scope, covering trafficking offences as well as prevention and protection measures. Several States have adopted a comprehensive law that criminalizes human trafficking and also provides for a range of other measures (Bahrain, Bulgaria, Jamaica, Mexico, Nigeria, Peru, Philippines and Thailand), such as protection, support and services for victims; compensation to victims for damages; prevention measures; cooperation between different stakeholders; and the establishment of national bodies to address issues related to trafficking in persons. Other States have separate laws or provisions to protect and assist victims, covering, for example, the issuance of residence permits (Australia, Belgium, Canada, Estonia, Greece, Hungary, Japan, Liechtenstein, Lithuania, Norway and Portugal); compensation for damages (Bulgaria, Germany, Liechtenstein, Lithuania, the former Yugoslav Republic of Macedonia and Viet Nam); and support and services (Azerbaijan, Liechtenstein and Portugal), including assistance for reintegration of trafficked women returning from abroad (Viet Nam). Efforts are under way in several States to draft anti-trafficking legislation (Chile, Egypt and Russian Federation), which in at least one case would also include measures of protection and assistance for victims (Luxembourg).

11. States have enhanced measures in their criminal procedure to protect and assist victims of trafficking. For example, criminal procedure codes or related laws provide for witness protection programmes (Germany, Hungary, Jamaica, Lithuania,

Nigeria and the former Yugoslav Republic of Macedonia), special measures to support victims in giving evidence (Azerbaijan, Brunei Darussalam, Germany, Liechtenstein, Russian Federation and United Kingdom), the availability of complete information to victims (Germany, Hungary and Liechtenstein), and exclusion of the public from court (Brunei Darussalam, Germany and Liechtenstein). Training programmes and materials on human trafficking have been provided to police and/or prosecutors in a number of countries (Australia, Azerbaijan, Czech Republic, Germany, Greece, Hungary, Jamaica, Norway, Philippines, Qatar and United Kingdom), and special police and/or prosecution units have been established (Australia, Azerbaijan, Bahrain, Greece, Luxembourg, Mexico, Norway, Peru, Philippines and Slovakia).

C. National action plans, strategies and national coordination mechanisms

12. National action plans offer a framework for the design, development, implementation and monitoring and evaluation of comprehensive anti-trafficking strategies, for ensuring that responses to human trafficking are coordinated and that impact assessments are undertaken. Such plans are in place in many countries (Argentina, Australia, Azerbaijan, Bulgaria, Colombia, Czech Republic, Ecuador, Estonia, Greece, Hungary, Japan, Lithuania, Mexico, Nigeria, Norway, Peru, Portugal, Qatar, Slovakia, Thailand, the former Yugoslav Republic of Macedonia, United Arab Emirates, United Kingdom and Viet Nam). They commonly include measures to prevent, investigate and prosecute trafficking; to support, assist and reintegrate victims; develop laws; to undertake research and collect data; to train police, legal, immigration, health and other personnel; and to promote cooperation among those involved in combating human trafficking. At least one country (Thailand) also has in place indicators to monitor and evaluate the implementation of its national action plan. Belgium and Peru are developing new national action plans to combat human trafficking. In Colombia, efforts are under way to put in place plans of action to combat human trafficking at the local level.

13. Several States, including Albania, Argentina, the Czech Republic and the former Yugoslav Republic of Macedonia, have national action plans or programmes to combat trafficking in children. Germany has incorporated trafficking in women as a cross-cutting issue in its action plan to combat violence against women and has also addressed trafficking in its action plans on children. Canada's national action plan for children contains strategies to address sexual exploitation of children, while Luxembourg's national action plan for equality between women and men includes measures to combat trafficking in women and girls.

14. Dedicated national mechanisms to improve coordination among different stakeholders in the development and implementation of laws and policies, including national action plans, have been established by many States, including Azerbaijan, Bahrain, Belgium, Canada, Chile, Colombia, the Czech Republic, Ecuador, Egypt, Germany, Greece, Hungary, Jamaica, Japan, Liechtenstein, Lithuania, Mexico, Nigeria, Norway, Peru, the Philippines, Portugal, the former Yugoslav Republic of Macedonia, Slovakia, Thailand, the United Arab Emirates and the United Kingdom. In many cases, those mechanisms consist of representatives of governmental bodies, including law enforcement, prosecution and immigration authorities and service providers, as well as civil society, in particular non-governmental organizations

(NGOs), and international organizations. Guidelines on coordination and action among agencies (Thailand), standard operative procedures for dealing with victims (the former Yugoslav Republic of Macedonia) and other tools have been developed as part of the strategies to ensure effective action.

D. Bilateral, regional and international agreements and cooperation

15. Bilateral and multilateral cooperation are key to combating and eliminating trafficking in women and girls, which is frequently a crime of an international nature, crossing borders and jurisdictions. Many States have strengthened such cooperation. Bilateral agreements/arrangements have been concluded by Algeria, Brunei Darussalam, Bulgaria, Canada, Chile, Germany, Lithuania, Mexico, Nigeria, Portugal, the Russian Federation, Thailand, the former Yugoslav Republic of Macedonia and Viet Nam. At the regional level, a memorandum of understanding on cooperation against trafficking in persons in the Greater Mekong Subregion was signed by six countries and an agreement on cooperation in combating trafficking in persons, human organs and tissues was concluded by member States of the Commonwealth of Independent States, including Azerbaijan and the Russian Federation. The Common Market of the South (MERCOSUR) and associated countries agreed to undertake a trafficking in persons information and prevention campaign. The European Union adopted a plan on best practices, standards and procedures for combating and preventing trafficking in human beings. Australia reported on the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which aims to raise awareness, encourage bilateral action and develop regional measures to prevent and intercept trafficking and smuggling. Nigeria referred to the multilateral cooperation agreement to combat trafficking in persons, especially women and children, in West and Central Africa, and the Joint Plan of Action against Trafficking in Persons, adopted within the framework of the Economic Community of West African States and the Economic Community of Central African States.

16. To improve law enforcement and prosecution efforts, cooperation and exchange of information are taking place between police and prosecution authorities in a number of countries, including through INTERPOL, Europol or Eurojust (Canada, Germany, Greece, Hungary, Liechtenstein, Norway, Russian Federation, Slovakia and the former Yugoslav Republic of Macedonia). Some States participate in regional task forces or networks to combat trafficking in persons, such as those established under the auspices of the Baltic Sea States (Estonia, Lithuania, Norway and Russian Federation). Several States have hosted or participated in regional or international conferences/meetings on trafficking in persons (Canada, Chile, Ecuador, Greece, Jamaica, Japan, Mexico, San Marino and United Kingdom).

17. Most States cooperate in and/or support bilateral and/or multilateral programmes and projects to combat trafficking in persons, together with United Nations and regional entities, the International Organization for Migration (IOM) and other States. These projects cover a range of initiatives to prevent and combat trafficking, including awareness-raising; training of law enforcement, judicial and other personnel; enhancing victim support and assistance; economically empowering women and girls; rehabilitating and reintegrating rescued victims; exchanging information and best practices; and conducting studies on the scope and nature of trafficking.

E. Prevention measures, including awareness-raising, and capacity-building

18. Prevention is integral to any strategy to combat and eliminate trafficking in women and girls and many States include prevention measures in their national plans of action and in their laws. Educational programmes on gender equality and women's human rights, and awareness-raising and information campaigns aimed at improving knowledge of human trafficking and awareness of potential risks and of existing anti-trafficking measures, are seen as important tools for prevention. Many States have implemented such programmes and campaigns, including Albania, Algeria, Argentina, Australia, Azerbaijan, Bahrain, Belgium, Brunei Darussalam, Bulgaria, Canada, Chile, Colombia, the Czech Republic, Egypt, Estonia, Germany, Greece, Hungary, Jamaica, Japan, Lithuania, Luxembourg, Mexico, Nigeria, Norway, Peru, the Philippines, Portugal, Qatar, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom and Viet Nam. Activities have included the publication of articles, posters, advertisements and information sheets in electronic and print media; the airing of television programmes and videos and creation of anti-trafficking websites; the screening of films and documentaries; the inclusion of human trafficking in school curricula; and public performances, debates and plays. Many of the activities were carried out in multiple languages and in cooperation with a range of partners, including NGOs, the media, the business sector and international and regional organizations.

19. States conducted general as well as targeted information campaigns. A number of campaigns dealt with the demand for sexual services. For example, as part of its review to address the demand for prostitution, the United Kingdom carried out an awareness campaign among male purchasers of sexual services about the exploitation and trafficking of women involved in the sex industry. The Czech Republic and Norway conducted similar campaigns and Luxembourg's national action plan for equality between women and men includes awareness-raising among customers of prostitution about the risks of trafficking. Australia implemented a targeted communications strategy on trafficking to educate people working in the sex industry and those who come in contact with them. Other targeted campaigns were directed at rural areas and at-risk groups, such as unemployed persons or persons who dropped out of school (Lithuania and the former Yugoslav Republic of Macedonia). In the Philippines, orientation seminars were conducted for potential migrant workers prior to their departure. Information campaigns to raise awareness among hotel and tourism enterprises were organized in Mexico and Peru.

20. Prevention efforts also focused on addressing the conditions that make people vulnerable to being trafficked, including through development projects and cooperation in countries of origin that promote gender equality and the enjoyment by women of their human rights (Canada, Germany, Norway and United Kingdom). Other efforts focused on poverty eradication activities aimed at women's economic empowerment including, for example, the provision of microcredit (Albania, Algeria, Nigeria, Qatar and Viet Nam); measures to improve access of girls and women to education (Albania); vocational training for women (Albania and Thailand); and programmes and outreach directed at groups at risk (Canada, Jamaica and Mexico), such as Mexico's working group to protect children living on the streets from being trafficked. Initiatives were also started to engage the general public in efforts to combat trafficking, for example, the anonymous hotline in Japan.

Australia posted specialists in strategic overseas locations to examine visa applications for fraud that might lead to trafficking and to analyse trends in visa processing.

21. All those who respond to trafficking in women and girls, such as law enforcement officers, immigration, judicial and medical personnel and social workers, require the capacity to deal with trafficking in a gender-sensitive and effective manner. The availability and use of training programmes, guidelines and manuals relating to trafficking in women and girls and women's human rights contribute to such efforts. Many States carried out training of government officials, police officers, judicial personnel, social workers, health workers, teachers and other professionals on the issue of trafficking, including Argentina, Australia, Azerbaijan, Bahrain, Bulgaria, Canada, Chile, Colombia, the Czech Republic, Ecuador, Egypt, Germany, Greece, Hungary, Jamaica, Japan, Mexico, Norway, Lithuania, the Philippines, Portugal, the Russian Federation, Slovakia, Thailand, the former Yugoslav Republic of Macedonia and Viet Nam. Such training was often carried out in cooperation with civil society, regional and international partners, as well as other States, and included efforts to develop skills to successfully investigate and prosecute perpetrators and to identify, protect and support victims. Training on trafficking for personnel serving in peacekeeping or other international operations was also provided (Norway).

22. Capacity-building efforts have also included the establishment of new institutions, such as the human trafficking centre in the United Kingdom, which provides a central point for the development of expertise and the strategic and operational coordination in combating human trafficking; a centre for information and analysis on trafficking in human beings and smuggling in Belgium; and a trafficking in children unit in Egypt.

F. The role of the business sector and media providers

23. The business sector is a critical partner in helping to eliminate trafficking in women and girls. Regulatory mechanisms, such as codes of conduct, setting out measures and tools to prevent and combat trafficking are increasingly being drawn up and adopted by the business community. For example, many companies have signed on to the Athens Ethical Principles of 2006 whereby companies declare zero tolerance to human trafficking. A project supported by Germany to sensitize the tourism industries in Albania and Montenegro to commercial sexual exploitation of children resulted in more than 300 tourism companies signing the International Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism. The tourism industries in several other countries have signed that code or similar codes (Bulgaria, Japan and Peru). Public-private partnerships have worked to establish child exploitation tracking systems to help police track information relating to online child exploitation (Australia, Canada and United Kingdom). Some countries recognized the need to strengthen collaboration with the private sector (Hungary and Jamaica).

24. Media providers have played a crucial role in raising awareness and disseminating information in many countries. They also have a key role in regulating advertisements and information that can fuel the demand for trafficking in women and girls. In the United Kingdom, newspaper representatives reviewed

their guidance for advertisements to ensure it fully reflected concerns about human trafficking. Lithuania amended laws to reduce advertising of sexual services in the media. Efforts have been made in several countries to address the posting on websites of pornographic and/or sexual tourism-related materials (Belgium, Qatar and Russian Federation).

G. Services and support for victims

25. Victims of trafficking must be correctly identified so that they can be provided with protection and further violation of their rights avoided. In addition, victims need a range of services, including social support, rehabilitation and reintegration measures so that they can recover from the trauma of their experience. Both elements are critical and increasingly form part of States' comprehensive strategies to combat trafficking in women and girls.

26. Some States have taken new initiatives to better identify victims, for example, through the development of indicators, guidance material and specific victim strategies (Norway and United Kingdom).

27. Programmes to provide victims with psychological, medical, legal and social/financial assistance, and shelters and/or crisis centres have been established or reinforced in many countries, often in cooperation with NGOs and other partners, or by NGOs with financial support from States, including in Albania, Argentina, Australia, Azerbaijan, Bahrain, Belgium, Bulgaria, Canada, Colombia, the Czech Republic, Ecuador, Estonia, Germany, Greece, Hungary, Japan, Liechtenstein, Lithuania, Luxembourg, Mexico, Nigeria, Norway, Peru, the Philippines, Portugal, Qatar, the Russian Federation, Slovakia, Thailand, the former Yugoslav Republic of Macedonia, the United Arab Emirates and the United Kingdom. In most of these countries, hotlines or helplines to provide information and assistance to victims also exist. In addition, specialized services for child victims of trafficking have been established. The United Arab Emirates has taken measures to enforce labour contracts and improve the conditions of foreign workers. Reintegration programmes have been organized in several countries, often in cooperation with IOM (Lithuania, Philippines, Slovakia, Thailand, the former Yugoslav Republic of Macedonia and Viet Nam). Such programmes and support are an integral part of national plans or strategies, for example, in Colombia, the Czech Republic, Estonia, Lithuania and Norway. In some cases, they are grounded in legislation, such as the victims assistance act in Liechtenstein.

28. Centralized mechanisms exist to better coordinate assistance to victims. For example, Colombia's anti-trafficking centre provides information and services for victims and Norway created a national coordinating unit for assistance and protection for victims. In a number of countries, national referral mechanisms have been established or are being developed to ensure effective assistance and protection of victims (Albania, Bulgaria, Czech Republic and the former Yugoslav Republic of Macedonia), including victim identification.

29. In several countries, victims are granted a recovery and reflection period to give them time to reflect and consider their options (Belgium, Canada, Greece, Hungary, Norway and United Kingdom). In a number of countries, temporary, or in some cases unlimited, residence permits or stays are granted (Australia, Belgium, Canada, Estonia, Greece, Hungary, Japan, Liechtenstein, Lithuania, Norway and

Portugal). In many countries, however, granting residence permits is conditional upon assisting with investigation or prosecution.

H. Data collection and research

30. Trafficking in women and girls remains an underdocumented form of violence against women (see A/61/122/Add.1 and Corr.1). Availability of better data is critical for informed and improved legal and policy development and design and implementation of other targeted measures, including services for victims, as well as for assessing the impact of measures taken. Currently, States are compiling data and information on trafficking in women and girls primarily from crime and judicial statistics, immigration records and from victim support services. Although several States provided their available data on victims, investigations, prosecutions and convictions in cases of human trafficking (Australia, Belgium, Ecuador, Estonia, Nigeria, Philippines, Russian Federation, Slovakia, the former Yugoslav Republic of Macedonia, United Kingdom and Viet Nam), the number of cases that come to the attention of the police, courts or service providers are small and estimates of the number of victims vary.

31. Given the importance of a strong knowledge base for effective action, States are making efforts to enhance data collection and analysis on trafficking in persons through, for example, research programmes, training and studies (Australia, Bahrain, Canada, Egypt, Hungary, Mexico, Norway and Portugal). Other efforts include a feasibility study on developing a national data collection framework (Canada); the creation of a national information system on trafficking (Colombia); the establishment of databases (Azerbaijan, Belgium, Bulgaria, Lithuania, Nigeria and Thailand); operations focused on intelligence-gathering (United Kingdom); and the development of indicators (Portugal and Viet Nam). Some States, such as Hungary, include improvement of data collection as a specific aim in their anti-trafficking national strategies. Portugal is in the process of establishing an observatory on trafficking in persons.

III. Activities undertaken within the United Nations system

32. Intergovernmental and expert bodies continue to address trafficking in women and girls, and global meetings and discussions have been held on the issue. Entities of the United Nations system undertake work on combating trafficking in women and girls, including analysis, studies and initiatives in support of national and regional efforts. Emphasis has been placed on improving cooperation and collaboration and on strengthening a multi-stakeholder, holistic approach to combating trafficking. A key aspect has been support for the development of strategic partnerships among government actors, civil society organizations, the private sector and other stakeholders. As at 6 June 2008, 10 entities of the United Nations system had responded to the Secretary-General's request for information.[3]

A. Global legal and policy development

1. Resolutions and recommendations

33. Legal and policy development continues through resolutions and recommendations adopted by United Nations intergovernmental and expert bodies. For example, the Commission on Crime Prevention and Criminal Justice, at its fifteenth session (27 May 2005 and 24-28 April 2006), adopted a draft resolution on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking, which was subsequently adopted by the Economic and Social Council (resolution 2006/27). At its seventh session (3-28 March 2008), the Human Rights Council adopted resolution 7/29 on the rights of the child, which addressed the issue of trafficking in children. The Working Group on the Universal Periodic Review of the Human Rights Council, which held its first session from 7 to 18 April and second session from 5 to 19 May 2008, included the problem of trafficking in women and girls and made recommendations to address this phenomenon in 22 of the 32 countries it considered.[4]

34. Special rapporteurs of the Human Rights Council devoted attention to and made recommendations on how to address trafficking in persons, especially women and children. For example, the Special Rapporteur on violence against women, its causes and consequences, recommended the adoption of laws to provide protection to victims in accordance with international human rights standards and to prosecute the users and abusers of trafficked persons (see A/HRC/4/34 and A/HRC/7/6). The Special Rapporteur on the human rights of migrants called on States to provide irregular migrants perceived to be involved in trafficking and smuggling practices with guarantees of due process (A/HRC/7/12). The Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and

[3] Department of Public Information of the Secretariat, United Nations Interregional Crime and Justice Research Institute, Economic Commission for Europe, Economic and Social Commission for Asia and the Pacific, United Nations Development Programme, United Nations Development Fund for Women, United Nations Population Fund, United Nations Relief and Works Agency for Palestine Refugees in the Near East, Office of the United Nations High Commissioner for Human Rights and United Nations Educational, Scientific and Cultural Organization.

[4] Algeria, Argentina, Bahrain, Benin, Brazil, Czech Republic, Ecuador, Gabon, Guatemala, India, Indonesia, Japan, Mali, Netherlands, Pakistan, Peru, Philippines, Poland, Republic of Korea, Switzerland, Ukraine and Zambia. (See the OHCHR website at: http://www.ohchr.org/EN/HRBodies/UPR/Pages/search.aspx.)

children, considered the phenomenon of forced marriages of women and girls in the context of trafficking in persons and recommended the implementation of laws to prevent trafficking and prosecute offenders and provide assistance to victims (A/HRC/4/23).

35. The human rights treaty bodies established under major international human rights treaties continued to address issues relating to trafficking in persons, especially women and children, in their concluding observations on the reports of States parties.[5] They have expressed deep concern regarding the persistence of trafficking despite the adoption by States parties of legislation, national action plans and other measures. As a result, they have emphasized the importance of the effective implementation of laws and policies and the need to monitor and analyse the impact of measures adopted. In particular, treaty bodies have recommended that States parties allocate adequate funding for the implementation of measures; adopt, amend or strengthen legislation on trafficking; ensure effective prosecution and punishment of offenders and impose penalties commensurate with the seriousness of the acts; implement training and capacity-building for law enforcement, border patrol and immigration officials, as well as lawyers, prosecutors, judges, parliamentarians, health professionals, local government personnel, media professionals, social workers, teachers and school administrators; ensure that victims are correctly identified and not penalized, and that services are in place for their rehabilitation and reintegration; increase bilateral, regional and international cooperation on the issue; systematically compile and analyse data in order to fully assess the scope of trafficking in women and girls, including internal trafficking; strengthen preventive measures, including through awareness-raising campaigns that target disadvantaged and marginalized groups, and that address the demand for trafficking victims; and deal with the root causes of trafficking, including discrimination and violence against women, and women's disadvantaged social and economic situation.

2. Global meetings and discussions

36. The first-ever global forum to fight human trafficking took place in Vienna from 13 to 15 February 2008. The Vienna Forum to Fight Human Trafficking, which was organized by the United Nations Office on Drugs and Crime (UNODC), brought together over 1,500 government officials, business leaders, NGOs, academics, United Nations entities and other organizations, and victims of trafficking. The objectives of the Vienna Forum were to raise awareness about human trafficking, forge new partnerships and facilitate cooperation. The Department of Public Information of the Secretariat provided media support for the Vienna Forum. (For the report of the Vienna Forum, see http://www.ungift.org/docs/ungift/pdf/vf/ebook2.pdf.)

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[5] See the concluding observations of the Committee on the Elimination of Discrimination against Women (http://www2.ohchr.org/english/bodies/cedaw/sessions.htm); the Committee on Economic, Social and Cultural Rights (http://www2.ohchr.org/english/bodies/cescr/sessions.htm); the Committee on Migrant Workers (http://www2.ohchr.org/english/bodies/cmw/sessions.htm); the Human Rights Committee (http://www2.ohchr.org/english/bodies/hrc/sessions.htm); the Committee Against Torture (http://www2.ohchr.org/english/bodies/cat/sessions.htm); and the Committee on the Elimination of Racial Discrimination (http://www2.ohchr.org/english/bodies/cerd/cerds71.htm).

37. The General Assembly held a thematic debate on human trafficking on 3 June 2008. The event focused on ways forward in the global fight against trafficking and helped to generate fresh impetus among Member States and other stakeholders to strengthen cooperation and fully implement existing international agreements. (There have also been a number of regional policy and legal developments, including the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children, adopted by the European Union and African States Ministerial Conference on Migration and Development, held in Tripoli on 22 and 23 November 2006; and the 2005 Council of Europe Convention on Action against Trafficking in Human Beings, which entered into force on 1 February 2008.)

B. Initiatives by United Nations entities, including activities in support of national efforts

1. Coordination efforts

38. The Global Initiative to Fight Human Trafficking, facilitated by UNODC, was launched in March 2007 and involves entities of the United Nations system, regional organizations, civil society groups and the private sector. (Members of the Global Initiative's Steering Committee include UNODC, the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the International Labour Organization (ILO), IOM and the Organization for Security and Cooperation in Europe.) The Global Initiative aims to increase public awareness of trafficking; strengthen prevention; reduce demand; rescue and protect victims; improve the effectiveness of law enforcement; ensure the implementation of international commitments; strengthen partnerships; and improve data collection.

39. Since 2006, a broad range of activities and partners have been coordinated through the Inter-Agency Cooperation Group against Trafficking in Persons, chaired by UNODC. (The following United Nations entities participate in the Inter-Agency Cooperation Group: the Office of the Special Representative of the Secretary-General for children and armed conflict, OHCHR, the Division for the Advancement of Women, the International Research and Training Institute for the Advancement of Women, the United Nations Development Fund for Women (UNIFEM), the United Nations Population Fund (UNFPA) and the World Bank. Other participants include INTERPOL and IOM.) The Group aims to improve cooperation and coordination between United Nations entities and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons, including the protection of, and support for, victims of trafficking. The Intergovernmental Organization Contact Group on Trafficking and Migrant Smuggling is coordinated by the Trafficking Adviser of OHCHR and includes OHCHR, the Office of the United Nations High Commissioner for Refugees (UNHCR), ILO and IOM as well as a representative from the NGO Caucus on Trafficking. The Contact Group continues to strengthen cooperation between international organizations working on trafficking, in particular in areas of law and policy.

2. Studies and reports

40. Entities of the United Nations system convene meetings of experts and policymakers, and prepare reports and analysis that facilitate the work of

intergovernmental and expert bodies and contribute to the development of global responses to trafficking in women and girls.

41. In the Secretary-General's 2006 in-depth study on all forms of violence against women (A/61/122/Add.1 and Corr.1), trafficking in women was addressed as one of the forms of violence against women. The study pointed out that available statistics on trafficking were often unreliable and noted the lack of comprehensive laws on trafficking in women, the inadequacy of protective measures for trafficked women, the treatment of trafficked women as criminals rather than victims and the obstacles victims of trafficking encountered in accessing services.

42. The Secretary-General's study on violence against children (A/61/299) highlighted different forms of violence against children, including trafficking. It recommended that appropriate legal frameworks be developed consistent with international standards and that domestic laws against trafficking in persons be fully implemented. It also recommended that efforts be strengthened to protect all children from trafficking and sexual exploitation, including through bilateral, subregional, regional and international cooperation and harmonizing legal definitions, procedures and cooperation at all levels.

43. On the occasion of the 10-year review of the implementation of the Beijing Declaration and Platform for Action, the Division for the Advancement of Women of the Secretariat prepared a report (E/CN.6/2005/2 and Corr.1), which highlighted the need for States to adopt and actively implement comprehensive, multidisciplinary and gender-sensitive strategies in order to combat trafficking and noted that approaches should include adoption and consistent enforcement of anti-trafficking legislation in line with international instruments to which States were party, as well as the implementation of policy measures aimed at preventing trafficking, punishing offenders and protecting victims.

44. Trafficking in women and girls has been discussed at expert group meetings, including those convened at the regional level by the Economic and Social Commission for Asia and the Pacific (ESCAP). The findings and recommendations from such meetings are regularly included in reports to intergovernmental bodies.

3. Data collection, research and support for policy development

45. United Nations entities and other organizations are working to improve the availability of data on trafficking in women and girls. The collection and analysis of data on trafficking patterns and modalities, routes and flows, and counter-trafficking measures is part of the United Nations Interregional Crime and Justice Research Institute (UNICRI) anti-trafficking projects. Databases on trafficking, which are used in the development of prevention strategies and responses to trafficking, have been established and maintained, including by IOM and UNODC.

46. Different United Nations entities have undertaken or supported research initiatives that have informed legal and policy development and highlighted promising interventions to combat human trafficking. For example, UNIFEM has supported a number of initiatives on research and data collection, in particular in South Asia, which have focused on analyses of national law and policy frameworks as well as research and data collection on trends and root causes of trafficking in women. OHCHR convened, together with the UNICEF Innocenti Research Centre, three expert consultations on research methodologies on trafficking in persons. The

United Nations Development Programme (UNDP) carried out research on the existing legal protections for women migrant workers in Uzbekistan and made recommendations to state bodies on how to address existing gaps in laws and services pertaining to migration. The United Nations Educational, Scientific and Cultural Organization (UNESCO) carried out research on factors leading to human trafficking in six pilot countries in Africa (Benin, Lesotho, Mozambique, Nigeria, South Africa and Togo), disseminated the resulting collection of good practices to support policymakers and published five policy papers (see http://unesdoc.unesco.org/ulis/cgi-bin/ulis.pl?req=2&mt=100&mt_p=%3C&by=2&sc1=1&look=default&sc2=1&lin=1&mode=e&futf8=1&gp=1&text=Human+Trafficking&text_p=inc&submit=%C2%A0%C2%A0Search%C2%A0%C2%A0).

4. Awareness-raising, advocacy and other prevention measures

47. United Nations entities continue to engage in and/or support awareness-raising and advocacy campaigns and outreach activities to raise knowledge of trafficking in women and girls. UNIFEM has created coalitions of media persons against trafficking and uses alternative media and theatre for skill-building, research, awareness-raising and advocacy. UNICRI carried out awareness campaigns on trafficking in women and minors to sensitize potential victims, political and religious leaders, public institutions and the general public, including in Costa Rica, Italy, Nigeria and Ukraine. IOM also carried out information campaigns in both source and destination countries targeted at the general public and vulnerable populations. A UNDP-supported programme in Armenia established migrant support points in different cities to track migrant flows and provide migrants with information about the credibility of future employers.

48. United Nations entities are increasingly drawing attention to the linkages between trafficking and HIV/AIDS. For instance, UNDP in 2006 completed a three-year project designed to reduce the dual vulnerability to human trafficking and HIV/AIDS in South Asia. UNESCO has developed projects to fight human trafficking by informing women and girls of the threat of trafficking and linking trafficking and HIV/AIDS.

49. The importance of engaging men and boys in efforts to prevent trafficking in women and girls has been emphasized, including in respect of efforts to eliminate the demand for trafficked women and girls. UNFPA carries out campaigns targeting men and boys and UNIFEM initiatives include the development of a toolkit for working with men and boys to combat trafficking and violence against women and children.

5. Capacity-building

50. The United Nations system continues to provide support on capacity-building measures in the area of trafficking in women and girls for different stakeholders, including government and civil society actors, at the national and local levels. Programmes include UNFPA-supported training of national police and immigration officials in Timor-Leste; UNDP-supported training of law enforcers in Mongolia; UNIFEM training of NGO personnel and the police in using mental health interventions for victims in several states in India and Nepal; UNICRI training courses for specialists working on the national hotline on trafficking in children in Ukraine and training for judges and prosecutors in Costa Rica; and OHCHR training

and consultations with government officials and support for research in Nepal. Capacity-building efforts have also been carried out by ESCAP, UNODC, ILO and IOM.

51. Training tools produced by United Nations entities to strengthen the capacity of stakeholders to address trafficking in women and girls include the UNICRI multidisciplinary training manual for all stakeholders involved in preventing and addressing trafficking in minors in Thailand; the UNFPA-supported guidelines for health service providers and other managers; and the UNODC toolkit to enable Governments, policymakers, police, NGOs and others to address human trafficking more effectively.

6. Support for legislative development

52. United Nations entities have collaborated with national authorities and machineries for the advancement of women to improve laws to combat trafficking in women and girls. For example, UNFPA supported the drafting of laws to address human trafficking in Indonesia and provided technical assistance for the creation of a secretariat to assist with the law on human trafficking in Ghana. UNDP supported revision of the criminal code in Mongolia to redefine human trafficking as a serious crime with associated penalties.

53. UNODC is finalizing model legislation on trafficking in persons intended as a guide for States in implementing the Trafficking Protocol. The objectives of the model law are to prevent and combat trafficking in persons, with particular attention to women and children; to ensure just and effective punishment of traffickers; to protect and assist the victims of such trafficking, while maintaining full respect for their human rights; and to promote and facilitate national and international cooperation in order to meet those objectives.

7. Services for victims/survivors of trafficking

54. United Nations entities continue to support different stakeholders in enhancing services for women victims of trafficking. For instance, UNDP supported an NGO in Armenia that provides free shelter, medical treatment and legal representation in court to trafficked women and reintegration assistance that empowers women economically and socially. Building on the lessons learned from the pilot phase completed in 2004, UNICRI recently started a programme on trafficking in women and adolescents from Nigeria to Italy. Programme components are being implemented in both countries and include capacity-building and technical support for NGOs to provide psychosocial, health and professional counselling to victims and their families, legal and administrative assistance, and information to victims about alternative strategies to make a living, as well as direct assistance to victims. UNFPA provides reproductive health services and counselling to victims in its programmes, while UNIFEM uses interventions ranging from prevention and protection to safe exit, reintegration and rehabilitation to address trafficking in a holistic manner. UNIFEM has also developed a guideline for undertaking resource mapping for alternative livelihood options.

IV. Conclusions and recommendations

55. **Many actions have been taken at the national, regional and international levels to prevent and combat trafficking in persons, especially women and girls. The number of States parties to relevant international instruments has increased considerably. Many States have strengthened their national legal and policy frameworks. Efforts have been made to strengthen action and coordination among a range of different stakeholders and to enhance bilateral and multilateral cooperation.**

56. **Despite these developments, trafficking in persons persists. It is a crime that is often transboundary, takes place in multiple settings and usually involves perpetrators at different levels. A comprehensive, coordinated, cohesive and gender-sensitive approach is therefore required among different stakeholders and partners that addresses the root causes and risk factors that make women and girls vulnerable to being trafficked and ensures prosecution of the perpetrators and protection and support for victims. Strategic partnerships among government actors, NGOs, the private sector and others are vital.**

57. **Many States now have a specific criminal offence of human trafficking in their laws; in others, a number of related offences are applicable to trafficking. Some States focus primarily on criminalizing human trafficking, while others have expanded legislation and included measures for prevention and protection in their laws. Several States have adopted one comprehensive act covering all areas.**

58. **States should continue to ratify and implement international instruments. They should continue to review and revise national legal frameworks to ensure compliance with their international obligations, including the criminalization of all forms of trafficking in persons of all ages, with penalties that are commensurate with other serious crimes, and provisions in law for prevention measures and protection and support for victims, in accordance with human rights standards. Mechanisms should be in place to monitor the implementation of all anti-trafficking laws. Efforts should be reinforced to ensure that all perpetrators are prosecuted and receive appropriate sentences in line with the seriousness of the crime.**

59. **States should ensure that national anti-trafficking action plans and strategies are in place that are comprehensive and multidisciplinary in scope, incorporate measurable goals and timetables, as well as monitoring and accountability measures, provide for impact assessments and ensure coordination of action among all stakeholders. Such sectoral plans should also be effectively coordinated with national gender equality and development policies and strategies for greater effectiveness. Coordination mechanisms should be in place to support the implementation of such plans and strategies. States should continue to conclude and implement bilateral and multilateral agreements and cooperation programmes to facilitate effective action in all areas, including law enforcement and prosecution, prevention and capacity-building, and victim support and assistance, and to exchange information and good practices in combating trafficking in women and girls.**

60. **Many States take prevention measures and have carried out educational programmes and information and awareness campaigns. States should continue these efforts and ensure that prevention initiatives are included in any strategy to combat and eliminate trafficking in women and girls. Measures should be put in place to address the conditions that make women and girls vulnerable to trafficking, including poverty, unemployment, limited education and discrimination against women in law and practice, including violence against them. States should ensure that such programmes and campaigns focus on the promotion of gender equality and women's enjoyment of their human rights, including their rights as victims of trafficking; highlight risks and dangers of human trafficking; and draw attention to existing anti-trafficking measures such as laws and support services. Information and awareness campaigns should be targeted at groups that are at risk; the tourism, hotel and media industries; as well as the population as a whole.**

61. **Many States have organized training programmes for police, judicial personnel, social and health workers, teachers and others. States should reinforce those programmes and ensure that they are systematic and that all persons responding to trafficking in women and girls and dealing with trafficking victims have the capacity to do so effectively with full respect for the human rights of the victims. Cooperation with the private sector has been increasing, but States have recognized that such collaboration needs to be strengthened. States should intensify efforts to engage and partner with the private sector, including by supporting the adoption of self-regulatory codes of conduct.**

62. **Significant efforts have been made in many countries to strengthen support systems for victims. States should continue and reinforce such efforts and should ensure that victims of trafficking are correctly identified and given the support and protection to which they are entitled in accordance with human rights standards and the principle of non-punishment. Victims should be protected from re-victimization, including protection from prosecution for illegal migration, labour law violations or other acts, and receive protection during criminal proceedings against offenders. Victims should be provided with information about their rights and empowered to claim those rights. They should be given support and protection, including legal, psychological, medical and social assistance; access to shelters; compensation for damages; alternative employment programmes; and residence permits or extended stays in third countries. Measures to protect and support victims, including the granting of residence permits or stays, should be unconditional and independent of a victim's ability or willingness to assist in the investigation or prosecution of offenders. Efforts to assess the impact of measures taken should be enhanced.**

63. **Reliable data on the scope and nature of trafficking in women and girls are lacking. While States are making some efforts to improve the knowledge base, there is a need for more and better-quality data to guide the development of national policies and programmes, monitor their impact and assess progress in addressing trafficking in women and girls. Data collection and analysis should be accelerated and qualitative research intensified to facilitate improved understanding and more efficient and effective responses to this phenomenon.**